

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION  
No. 5:07-CR-4-1FL

UNITED STATES OF AMERICA

v.

JOSEPH PLUMMER,

Defendant.

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**ORDER**

This matter is before the court for preliminary examination of the government's motion for revocation of Defendant's supervised release and for a hearing on the government's oral motion to detain Defendant pursuant to 18 U.S.C. § 3143 and Rule 32.1(a)(6) of the Federal Rules of Criminal Procedure. A hearing was held in this matter on September 18, 2017, at which Defendant appeared and was represented by Assistant Federal Defender Lauren Brennan, and the government was represented by AUSA Ellie Morales.

At the hearing of this matter, the court orally stated findings and conclusions, all of which are hereby incorporated by reference. The court restates in writing the following findings and conclusions of the court:

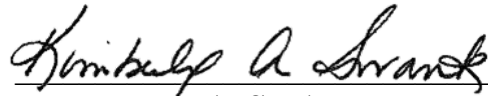
1. That probable cause exists to believe that Defendant violated the terms of supervised release by engaging in criminal conduct as alleged in the government's amended revocation motion; and

2. That Defendant has failed to establish by clear and convincing evidence that he will not pose a risk of flight or a danger to others if released. The court's

determination in this regard is based upon the following factors or reasons: the nature and circumstances of the alleged violations; the existence of a pattern of drug trafficking activity; Defendant's substance abuse history; evidence that Defendant attempted to flee and assaulted a police officer; and any other findings or reasons stated in open court.

Accordingly, the court hereby ORDERS that Defendant be committed to the custody of the Attorney General or a designated representative to be detained pursuant to 18 U.S.C. § 3143(a)(1) pending his revocation hearing.

This 11th day of October 2017, for September 18, 2017.

A handwritten signature in cursive script, reading "Kimberly A. Swank", written over a horizontal line.

KIMBERLY A. SWANK  
United States Magistrate Judge